

Item # _____

Prepared by: Gloria Kelly
Real Estate Services

Commissioner _____

Approved by: _____
County Attorney

A resolution approving the conveyance of a parcel of County owned Delinquent Tax Property 862,923 square feet (19.81 acres) in size, located on Mud Island south of Auction Avenue east of the Mississippi River to the City of Memphis, without monetary consideration; for the City of Memphis Parks to complete the Mississippi River Greenbelt Park and to authorize the Mayor to execute a Quit Claim Deed conveying said parcel of land to the City of Memphis.

Sponsored by: Commissioner J. W. Gibson, II

WHEREAS, In 1990, Shelby County acquired an unimproved parcel of Delinquent Tax Property, 862,923 square feet (19.81 acres) in size, located on Mud Island south of Auction Avenue east of the Mississippi River in Tax Sale #55 and further identified as Tax Parcel Number 00100100 0007Z; and

WHEREAS, The City of Memphis has requested Shelby County to convey this parcel of land to be used by the City of Memphis Parks to complete the Mississippi River Greenbelt Park, without monetary consideration, which parcel of land being more particularly described in the attached Quit Claim Deed, which is hereby incorporated by reference; and

WHEREAS, T.C.A. §67-5-2509(d) allows Shelby County to transfer real property acquired in a tax sale to any other governmental entity without monetary consideration, so long as the property will be used for a public use and purpose; and

WHEREAS, It is deemed to be in the best interest of Shelby County to convey said parcel of land, 862,923 square feet (19.81 acres) in size, to the City of Memphis, without monetary consideration, for the City of Memphis Parks to complete the Mississippi River Greenbelt Park.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the aforementioned real property conveyance to the City of Memphis, without monetary consideration, be and the same are hereby approved; and that the Mayor be and he is authorized to execute the attached Quit Claim Deed Document affecting the same.

A C Wharton, Jr., County Mayor

Date: _____

ATTEST:

Clerk of County Commission

ADOPTED _____

SUMMARY SHEET

I. Description of Item

A Resolution approving the conveyance of an unimproved parcel of County owned Delinquent Tax Property, 862,923 square feet (19.81 acres) in size, without monetary consideration; located on Mud Island south of Auction Avenue, east of the Mississippi River within the City of Memphis; this is an unbuildable lot; it was acquired by the County in Tax Sale No. 55 in 1990; the City of Memphis has formally requested the County to transfer this parcel to the City of Memphis to be used by the City of Memphis Parks to complete the Mississippi River Greenbelt Park.

II. Source and Amount of Funding

N/A

III. Contract Items

Quit Claim Deed

IV. Additional Information Relevant to Approval of this Item

N/A

QUIT CLAIM DEED

THIS INDENTURE, made and entered into this _____ day of _____, 2008, by and between the **County of Shelby, a Political Subdivision of the State of Tennessee**, (hereinafter referred to as "**Grantor**"), and the **City of Memphis, a Municipal Corporation of the State of Tennessee** (hereinafter referred to as "**Grantee**").

WITNESSETH: That for and in consideration of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, **Grantor** has bargained and sold and does hereby bargain, sell, remise, release, convey and forever quitclaim unto **Grantee** all of its right, title and interest in and to the following described real estate, situated and being in the City of Bartlett, County of Shelby, State of Tennessee, to-wit:

A part of the John Rice 5,000 acre Grant lying S of the projected center line of Auction Avenue in the City of Memphis, County of Shelby, State of Tennessee, and more particularly described as follows:

Beginning at a point 17.0 feet S of the projected center line of Auction Avenue being the intersection of said line with the W line of a 110 foot dedicated roadway, thence S 24° 26’ W 892.2 feet along the said W line; thence S 68° 34’ W 980.0 feet to a point on the ordinary high water mark of Mississippi River; thence northwardly 854.0 feet along said water mark; thence N 75° 43’ E 1,378.0 feet to the point of beginning and containing 19.81 acres, more or less, being a part of the same land as that described in decrees of Chancery Court, Shelby County, Tennessee, of record in Minute Book 273 at pages 342 and 347.

The total land contained in the above described parcels is 862,923 square feet or 19.81 acres, more or less.

This conveyance is being made for the City of Memphis Parks to complete the Mississippi River Greenbelt Park within the City of Memphis. **Grantor** makes no claim or warranty relative to the environmental condition of the hereinabove described property being conveyed.

This conveyance is subject to acceptance by **Grantee**, which acceptance being expressly acknowledged herein by the approval of the proper Officials as evidenced by their signatures herein below.

IN WITNESS WHEREOF, **Grantor** has caused this instrument to be executed by the affixing thereto of the signature of the Mayor of the County of Shelby, the said Mayor being authorized so to do pursuant to Section 4.03-18 of Chapter 260 of the Private Acts of 1974 in accordance with the approval of the Shelby County Board of Commissioners, on the ____ day of _____, 2008 in Resolution #_____.

Grantee: City of Memphis

Grantor: County of Shelby

BY: _____
Dr. W. W. Herenton, City Mayor

BY: _____
A C Wharton, Jr., County Mayor

BY: _____
Paul Matilla, Trustee

Approved as to Form:

Approved as to Form:

BY: _____
City Attorney

BY: _____
Assistant County Attorney/
Contract Administrator

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned, a Notary Public within and for said State and County, duly commissioned and qualified, personally appeared **A C WHARTON, JR., Mayor of the County of Shelby**, with whom I am personally acquainted, and who upon oath acknowledged himself to be the **Mayor of the County of Shelby**, the within named bargainor, one of the counties of the State of Tennessee, and that he as such **Mayor** of said county, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of Shelby County by himself as such **Mayor** of said County of Shelby.

WITNESS my hand and Notarial Seal, at office in Memphis, in the County aforesaid, this ____ day of _____, 2008.

Notary Public

MY COMMISSION EXPIRES:

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned, a Notary Public within and for said State and County, duly commissioned and qualified, personally appeared **PAUL MATILLA, Interim Trustee of the County of Shelby**, with whom I am personally acquainted, and who upon oath acknowledged himself to be the **Trustee of the County of Shelby**, and that he as such **Trustee**, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and Notarial Seal, at office in Memphis, in the County aforesaid, this ____ day of _____, 2008.

Notary Public

MY COMMISSION EXPIRES:

**STATE OF TENNESSEE
COUNTY OF SHELBY**

Before me, the undersigned, a Notary Public within and for said State and County, duly commissioned and qualified, personally appeared **DR. W. W. HERENTON**, with whom I am personally acquainted, and who upon oath acknowledged himself to be the **Mayor of the City of Memphis**, the within named bargainor, and that he as such **Mayor**, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the **City of Memphis**, by himself as such **Mayor**.

WITNESS my hand and Notarial Seal, at office in Memphis, in the County aforesaid, this ____ day of _____, 2008.

Notary Public

MY COMMISSION EXPIRES:

(FOR RECORDING DATA ONLY)

Property Address:
(Vacant Land)

Tax Parcel No:
0010010000007Z

Mail Tax Bills to: (Person or Agency
responsible for payment of taxes)
Exempt - Government

Owners Name and Address:
**City of Memphis
125 N. Main Street
Memphis, TN 38103**

This instrument prepared by:
**Shelby County Government
Real Estate Services
584 Adams Ave.
Memphis, TN 38103
Phone No. (901) 545-3498**